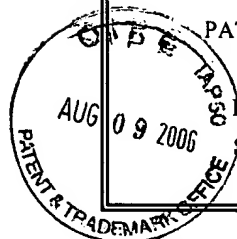


ExpressMailNo.EV 673965651 US

IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICEINFORMATION DISCLOSURE  
STATEMENT BY APPLICANT

APPLICATION NO:	09/478,299
FILINGDATE:	1/5/2000
FIRSTNAMEDINVENTOR	John L. Schenk
ARTUNIT:	1654
EXAMINERNAME:	M. Meller
DOCKETNO:	22091-701

**I. US PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NO. & KIND CODE (if known)	PATENTEE OR APPLICANT NAME	PUBLICATION/ISSUE DATE	Pages, Columns, Lines Where Relevant Passages Or Relevant Drawings Appear
	4,559,309	Evenson	12/17/1985	
	4,999,283	Zavos et al.	3/12/1991	

**II. FOREIGN PATENT DOCUMENTS**

EXAMINER INITIAL	Foreign Patent Document Country Code, Number, Kind Code (if known)	PATENTEE OR APPLICANT NAME	PUB'NDATE dd-yyyy	mm-	TRANSLATION Yes No

### III. OTHER REFERENCES

EXAMINER INITIAL	Document
	Australian Application No. 17552/01; Monsanto Opposition, Statement of Grounds 03/06/2006
	European Application Number 00980567.9; English Translation of Opposition filed by European Union Parliament 11/5/2005 (Document originally filed in German.)
	European Application Number 00980567.9; English Translation of Opposition filed by Greenpeace 11/02/2005 (Document originally filed German.)
	New Zealand Application Number 530441, Examination Report dated 07/13/2005
	New Zealand Application Number 530441, Letters Patent Number 530441 dated 01/12/2006
	New Zealand Application Number 541086, Examination Report dated 07/13/2005
	Johnson, L. A., Sexing mammalian sperm for production of offspring: the state-of-the-art; Animal Reproduction Science; 60-61 (2000) pp 93-107
	Seidel, G.E. Jr., et al., Methods of Ovum Recovery and Factors Affecting Fertilization of Superovulated Bovine Ova, Control of Reproduction in the Cow, Sneenan ed., 1978, pp 268-280
	Hawk, H. W. et al., Effect of Unilateral Cornual Insemination upon Fertilization Rate in Superovulating and Single-Ovulating Cattle, Journal of Animal Sciences, 1986 vol. 63, pp 551-560
	Andersson, M. et al., Pregnancy Rates in Lactating Holstein-Friesian Cows after Artificial Insemination with Sexed Sperm. Reprod. Dom. Anim 41, 95-97, 2006
	Morton, K. M., et al., In vitro and in vivo survival of bisected sheep embryos derived from frozen-thawed unsorted, and frozen-thawed sex-sorted and refrozen-thawed ram spermatozoa; Theriogenology, 65 (2006) 1333-1345
	Wilson, R. D., et al., In vitro production of bovine embryos using sex-sorted sperm, Theriogenology, 65 (2006) 1007-1015
	Johnson, L.A., et al, 1996 Gender preselection in mammals. XX Beltsville Symposium in Agricultural Research Technology's Role in the Genetic Improvement of Farm Animals. pp. 151-164, Amer. Soc. Anim. Sci. IL, USA.
	Smorag, Z., et al., Cattle Sex Regulation by Separation of X and Y Spermatozoa – Preliminary Results of Field Experiment in Poland, Reproduction, Fertility and Development 17(2) 306–306; 01/01/2005
	Crichton, E., et al. (Abstract) Artificial Insemination of Lactating Holstein Cows with Sexed Sperm, Reproduction, Fertility and Development 18(2) 281 - 281, 12/14/2005
	Lindsey, A.C., et al. Hysteroscopic insemination of low numbers of flow sorted fresh and frozen/thawed stallion spermatozoa, Equine Vet J. 2002 Mar;34(2):106-7.
	Drobnis, E. Z, Cold shock damage is due to lipid phase transitions in cell membranes : a demonstration using sperm as a model, Journal of experimental zoology (J. exp. zool.) 1993, vol. 265, no4, pp. 432-437 (22 ref.)
	Hagele, W.C., et al., Effect of Separating Bull Semen into X and Y Chromosome-bearing Fractions on the Sex Ratio of Resulting Embryos; Cran J. Comp. Med, 1984: 48:294-298
	US Patent Application Number 11/422,735 filed 05/25/2006; Apparatus, Methods and Processes for Sorting Particles and for Providing Sex-Sorted Animal Sperm
	Suh, T.K, et al., Pressure during flow sorting of bull sperm affects post-thaw motility characteristics; Theriogenology Vol. 59, No. 1, January 2003 p 516
Examiner	Date Considered
EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.	

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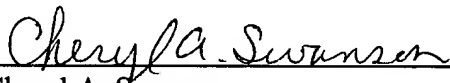
Application Number: 09/478,299  
Applicants: John L. Schenk  
Filed: January 5, 2000  
Title: Method of Cryopreserving Selected Sperm Cells  
Group Art Unit: 1654  
Examiner: M. Meller  
Assignee: XY, Inc.  
Attorney Docket: 22091-701  
Customer No.: 33549

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**CERTIFICATE OF EXPRESS MAILING**

I, Cheryl A. Swanson, hereby certify to the truth of the following items:

1. I am an employee of Santangelo Law Offices, P.C., 125 South Howes, Third Floor, Fort Collins, Colorado 80521.
2. I have this day deposited the attached Information Disclosure Statement along with copies of Foreign Patent Documents and Other References cited with the United States Postal Service as Express Mail, postage prepaid, for mailing to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated this 9 day of August, 2006.

  
Cheryl A. Swanson